



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

DEFENDANT'S
EXHIBIT
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SOP 2-8

Effective: 02/15/2021

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4. Any duty assignment where personnel do not carry an APD badge and firearm, including restricted duty, administrative assignment, or administrative leave.

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B. The OBRD shall be worn forward facing at the beltline or above, or the middle of the torso, in a position intended to maximize the OBRD's ability to record.

C. While on-duty, the OBRD shall be in buffer mode, unless personnel are working in an administrative capacity. Personnel working in an administrative capacity are still subject to the requirements of mandatory recording incidents.

D. Personnel shall ensure their OBRD is functioning properly at the beginning and end of each shift.

1. Any malfunctions of the OBRD shall be immediately reported to a supervisor.

E. Only Department-issued OBRDs shall be used.

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F. Any video created during a shift shall be uploaded by the end of the next shift. To accomplish this, personnel shall upload their OBRD at least once per shift using a docking station or through a Department-issued sync cable and computer.

1. Personnel who have scheduled days off beyond their normal duty weekends (i.e., vacation/comp time, military leave, FMLA, etc.) shall upload video(s) prior to starting their time off from work.

For personnel who do not have daily recorded videos, OBRDs shall be docked at least once per workweek to charge the batteries and complete firmware updates.

Personnel may do this by using a docking station or through a Department-issued sync cable and computer.

G. While Department equipment prevents manipulating or deleting of an original OBRD recording, personnel are nonetheless prohibited from intentionally manipulating or deleting an original OBRD recording.

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2-8-5 Mandatory Recording

A. Personnel shall activate their OBRD for any call for service, for any other law enforcement activities that involve contact with members of the public, and for any investigative encounters involving personnel and members of the public.

B. For all mandatory recording incidents, personnel shall activate their OBRD prior to contact with individuals, except when faced with an emergency situation requiring immediate action to preserve life or safety. At the first available opportunity, personnel shall activate their OBRD immediately.

C. Examples of mandatory recording events include, but are not limited to:



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1. Law enforcement encounters;
2. Traffic crashes;
3. Use of force encounters and any encounter with an individual who is known to be combative, or who becomes adversarial after the initial contact;
4. Arrests;
 - a. Personnel shall inform arrestees they are being recorded unless doing so would be unsafe, impractical, or impossible.
 - b. If an arrestee is taken to a medical facility, personnel shall strive only to record their interaction with the arrestee.
5. Detention and transport of individuals based on a CforE for emergency evaluation and care in response to behavioral health issues;
6. Incidents involving individuals known to have a behavioral health disorder or who are in a behavioral health crisis;
7. Community caretaking encounters; and
8. Searches;
 - a. Vehicle searches performed without a warrant from the time the vehicle is entered until the search is concluded. Service of search warrants of vehicles will be consistent with SOPs Scientific Evidence Division and Execution of Search Warrants; and
 - b. Service of search warrants of structures from the time of entry until the location is cleared and secured to allow the warrant to be executed. During the execution of the search warrant, the search will be consistent with SOPs Scientific Evidence Division and Execution of Search Warrants.
 - c. When a search of a person is conducted, the OBRD shall be used, through the entirety of the search.
 - i. When conducting a strip search, officers shall position their camera to collect audio data only. Officers shall verbally record the reason for not capturing visual data. Once the strip search is over, officers shall resume recording audio and visual.
 - ii. When officers are present for a body cavity search being conducted by qualified medical personnel pursuant to a search warrant, officers shall position their camera to collect audio data only. Officers shall verbally record the reason for not capturing visual data. Once the body cavity search is over and the suspect is clothed, officers shall resume recording audio and visual.



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- D. For mandatory recording incidents, personnel shall record the entire law enforcement-related encounter. The law enforcement-related encounter ends when contact with the individual(s) is terminated.
- E. Any time one of these mandatory recording incidents is not captured in its entirety, personnel shall document why it was not recorded in a report, when one is required. When no report is required, personnel shall document the reason in the Computer-Aided Dispatch (CAD).

6 2-8-6 Prohibited Recording

- A. Personnel shall not activate their OBRD:
 - 1. During interactions with a CI;
 - 2. During personal activities and private conversations between Department personnel that do not involve calls for service or do not involve any other law enforcement or investigative encounters with a member of the public;
 - 3. At locations where recordings are prohibited by law, unless permission is obtained to record; and
 - 4. In sensitive areas such as restrooms or locker rooms, unless the encounter is a mandatory recording incident.

- 7** B. In the event personnel inadvertently record a prohibited recording incident, personnel shall categorize the video as "Restricted".

N/A 2-8-7 Discretionary Recording

- A. For non-mandatory recording events and unless prohibited from recording, personnel have discretion to activate their OBRD when personnel reasonably believe it would be appropriate or valuable to document circumstances. In exercising this discretion, personnel should balance the need to record with legitimate privacy concerns.
- B. Discretionary recording is allowed when a scene is being processed by investigative units or the Scientific Evidence Division (SED) in which the scene is secured and absent of public contact.

6 2-8-8 Supervisor Responsibilities

- A. Supervisors shall:
 - 1. Verify the OBRD of personnel under their command is functioning properly by observing the OBRD in buffer mode during routine equipment inspections. The operation LED (light) will blink green.